

ORDINANCE NO. 2006 - 052

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENT **HAVERHILL ROAD/ PURDY LANE PROPERTIES (LGA 2006-00025)**, MODIFYING PAGE 71 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 5.93 ACRES, GENERALLY LOCATED ON EAST SIDE OF HAVERHILL ROAD, APPROXIMATELY 370' NORTH OF PURDY LANE, FROM MEDIUM RESIDENTIAL, WITH 5 UNITS PER ACRE (MR-5) TO HIGH RESIDENTIAL, WITH 12 UNITS PER ACRE (HR-12); AND **ORANGE AVENUE CIRCLE (LGA 2006-00026)**, MODIFYING PAGE 130 OF THE FLUA BY CHANGING THE FUTURE LAND USE DESIGNATION FOR APPROXIMATELY 14.00 ACRES, GENERALLY LOCATED ON SOUTH OF HOOKER HWY ON THE EAST SIDE OF ORANGE AVENUE CIRCLE, NORTH OF THE BELLE GLADE CITY LIMITS, FROM AGRICULTURAL PRODUCTION (AP) TO INSTITUTIONAL (INST); PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on June 9 and June 23, 2006 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on July 19, 2006 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1 **WHEREAS**, Palm Beach County received the Department of Community
2 Affairs "Objections, Recommendations, and Comments Report," dated
3 September 29, 2006 which was the Department's written review of the
4 proposed Comprehensive Plan amendments; and

5 **WHEREAS**, on November 13, 2006 the Palm Beach County Board of
6 County Commissioners held a public hearing to review the written
7 comments submitted by the Department of Community Affairs and to
8 consider adoption of the amendments.

9 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
10 **COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:**

11 **Part I. Amendments to the Future Land Use Atlas of the Land Use**
12 **Element of the 1989 Comprehensive Plan**

13 The following amendments to the Land Use Element's Future Land
14 Use Atlas are hereby adopted and attached to this Ordinance:

15 **A. Future Land Use Atlas page 71 is amended as follows:**

16 **Application No.:** **Haverhill Road Properties (LGA 2006-00025)**
17 **Amendment:** From Medium Residential, with 5 units per
18 acre (MR-5) to High Residential, with 12
19 units per acre (HR-12);
20 **General Location:** East side of Haverhill Road, approximately
21 370' north of Purdy Lane
22 **Size:** Approximately 5.93 acres;

23 **B. Future Land Use Atlas page 130 is amended as follows:**

24 **Application No.:** **Orange Avenue Circle (LGA 2006-00026)**
25 **Amendment:** Agricultural Production (AP) to
26 Institutional (INST);
27 **General Location:** South of Hooker Hwy on the east side of
28 Orange Avenue Circle, north of the Belle
29 Glade city limits
30 **Size:** Approximately 14.00 acres;

31 **Part II. Repeal of Laws in Conflict**

32 All local laws and ordinances applying to the unincorporated area
33 of Palm Beach County in conflict with any provision of this ordinance
34 are hereby repealed to the extent of such conflict.
35

1 **Part III. Severability**

2 If any section, paragraph, sentence, clause, phrase, or word of
3 this Ordinance is for any reason held by the Court to be
4 unconstitutional, inoperative or void, such holding shall not affect
5 the remainder of this Ordinance.

6 **Part IV. Inclusion in the 1989 Comprehensive Plan**

7 The provision of this Ordinance shall become and be made a part
8 of the 1989 Palm Beach County Comprehensive Plan. The Sections of the
9 Ordinance may be renumbered or relettered to accomplish such, and the
10 word "ordinance" may be changed to "section," "article," or any other
11 appropriate word.

12 **Part V. Effective Date**

13 The effective date of this plan amendment shall be the date a
14 final order is issued by the Department of Community Affairs or
15 Administration Commission finding the amendment in compliance in
16 accordance with Section 163.3184(1)(b), Florida Statutes, whichever is
17 applicable. No development orders, development permits, or land uses
18 dependent on this amendment may be issued or commence before it has
19 become effective. If a final order of noncompliance is issued by the
20 Administration Commission, this amendment may nevertheless be made
21 effective by adoption of a resolution affirming its effective status,
22 a copy of which resolution shall be sent to the Florida Department of
23 Community Affairs, Division of Community Planning, Plan Processing
24 Team. An adopted amendment whose effective date is delayed by law
25 shall be considered part of the adopted plan until determined to be
26 not in compliance by final order of the Administration Commission.
27 Then, it shall no longer be part of the adopted plan unless the local
28 government adopts a resolution affirming its effectiveness in the
29 manner provided by law.
30

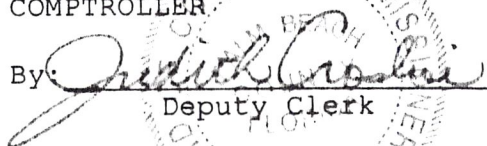
1 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm
2 Beach County, on the 13 day of November, 2006.

3
4 ATTEST:


5 SHARON R. BOCK, CLERK &
6 COMPTROLLER

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

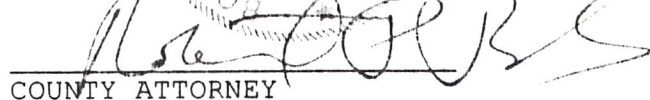
7
8 By


Deputy Clerk

By


Addie L. Greene, Vice-Chairperson

10
11 APPROVED AS TO FORM AND LEGAL SUFFICIENCY

12
13 
14 COUNTY ATTORNEY

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16 Filed with the Department of State on the 21st day of
17 November, 2006.

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19 T:\planning\AMEND\06-2\admin\bccadopt\Ordinances\Ordinance_06-2_CountyCorrectiveSiteSpec.doc
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EXHIBIT 1

A. Haverhill Road/ Purdy Lane Properties(LGA 2006-00025)

Amendment No.: Haverhill & Purdy Properties (LGA 2006-00025)

FLUA Page No.: 71

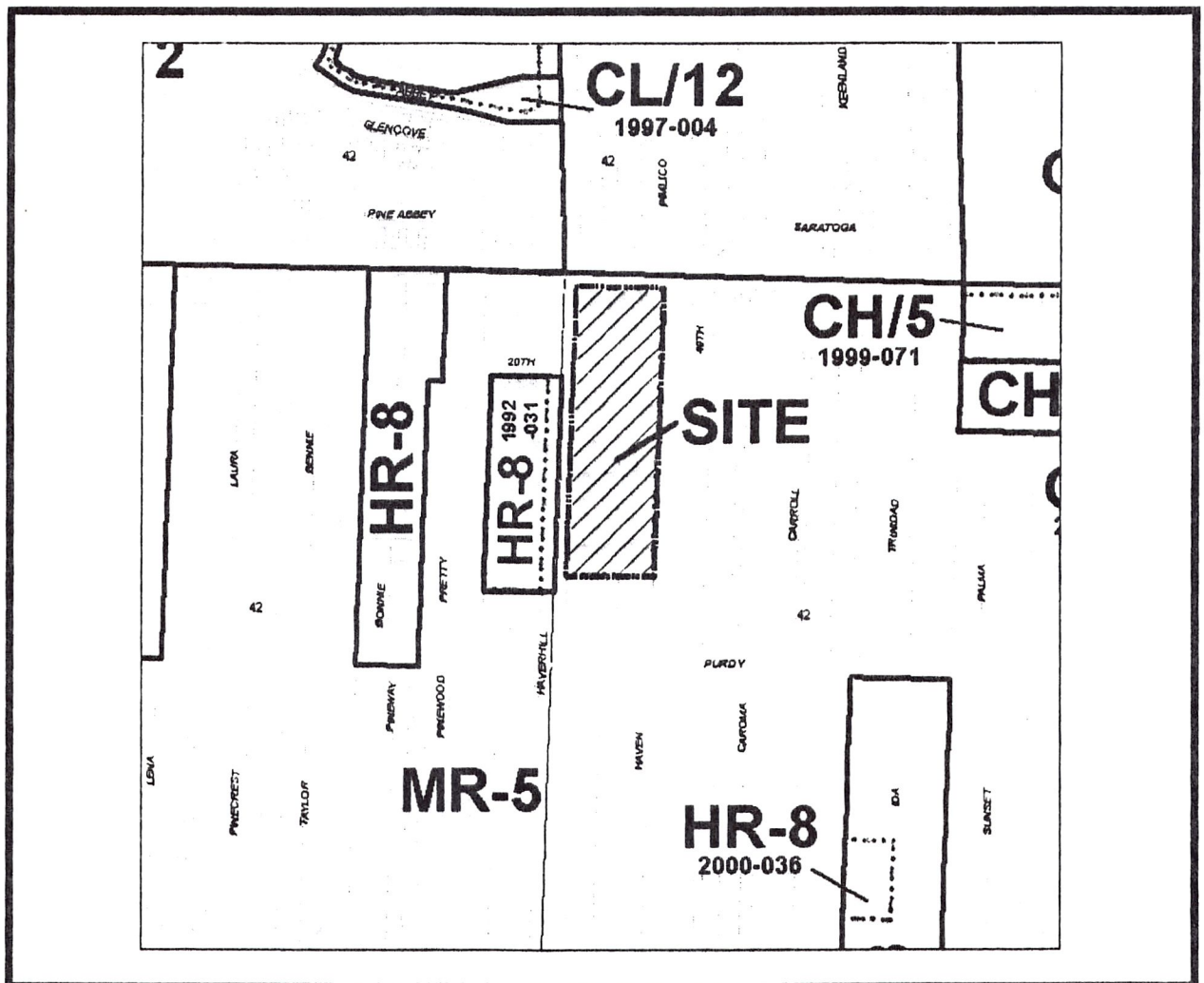
Amendment: From Medium Residential, with 5 units per acre (MR-5) to High Residential, with 12 units per acre (HR-12)

Location: East side of Haverhill Road, approximately 370' north of Purdy Lane

Size: 4.25 acres (Lot 3061), 1.68 acres (Lot 3062), 0.66 acre (Lot 3090)

Property No.: 00-42-44-13-00-000-3061, 3062, & 3090

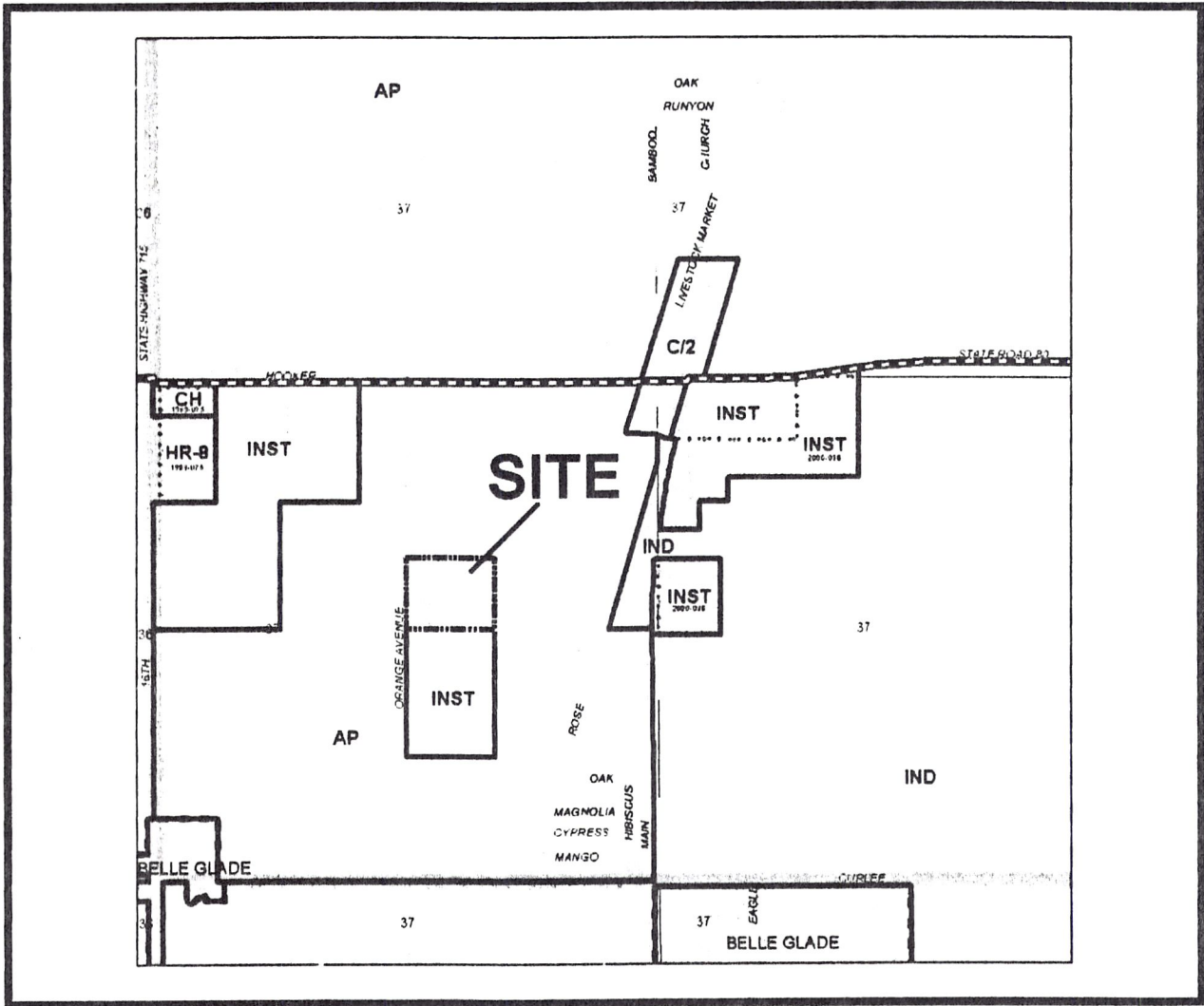
Conditions: None



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B. Orange Avenue Circle (LGA 2006-00026)

Amendment No.: Orange Avenue Circle (LGA 2006-00026)
FLUA Page No.: 130
Amendment: From Agricultural Production (AP) to Institutional (INST)
Location: South of Hooker Hwy on the east side of Orange Avenue Circle, north of the Belle Glade city limits.
Size: 14.00 acres
Property No.: 00-37-43-19-00-000-1040
Conditions: None



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